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Security Council

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Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Note verbale dated 15 February 2005 from the Permanent Mission of Finland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Finland presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) and referring to the note of the Chairman dated 17 December 2004, has the honour to communicate the following information concerning the implementation of the United Nations sanctions against Côte d'Ivoire set out in paragraphs 7 through 12 of the above-mentioned resolution.

In order to implement Security Council resolution 1572 (2004), the Council of the European Union adopted on 13 December 2004 Common Position 2004/852/CFSP concerning restrictive measures against Côte d'Ivoire. Subsequently, the Council adopted on 31 January 2005 Council Regulation No. 174/2005 implementing the above-mentioned Common Position. The Common Position and the Regulation are attached for your information.*

Sanctions and forfeitures for violation of the provisions of the Council regulation are provided for in Chapter 46, sections 1-3, and in Chapter 10 of the Finnish Penal Code, respectively. According to Chapter 46, sections 1-3 of the Penal Code, a person who violates or attempts to violate a regulatory provision of a sanctions regulation shall be sentenced for a regulation offence to a fine or imprisonment for at most four years.

The arms embargoes imposed by the Security Council and the European Union are implemented at the national level by virtue of the Act on the Export and Transit of Defence Materiel (Act No. 242/1990, as amended by Acts 197/1995, 893/2001, 385/2002, and 900/2002). According to the Act, the export, transit or brokerage of defence materiel is subject to specific authorization (export and brokerage licence). A licence to export or broker shall not be granted if it jeopardizes Finland's security or is inconsistent with Finland's foreign policy The general guidelines for export, transit and brokerage of defence materiel adopted by the Government (1000/2002, as amended by Government decision 101/2003) provide that economic sanctions and arms embargoes imposed by the Security Council or the European Union shall be

* The text is available in the files of the Secretariat.

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complied with when granting an export licence or licence for the transhipment of defence materiel.

The relevant economic sanctions and arms embargoes are listed in annexes of the general guidelines for export, transit and brokerage of defence materiel, which are kept up to date by the Finnish Ministry for Foreign Affairs. The arms embargo stipulated in Security Council resolution 1572 (2004) and the corresponding restrictive measures adopted by the European Union in its Common Position (2004/852/CFSP) have been added to the relevant annexes of the guidelines.

According to section 7 of the Act on the Export and Transit of Defence Materiel, a person who commits an export offence shall be fined or imprisoned for a maximum period of four years.

As the Sanctions Committee has not as yet designated persons and entities who are subject to the specific measures provided for in paragraphs 9 and 11 of Security Council resolution 1572 (2004), no action has been taken by Finland in that regard.